

## The Poem at Petronius, *Sat.* 137,9

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Quisquis habet nummos, segura naviget aura  
    fortunamque suo temperet arbitrio.  
uxorem ducat Danen ipsumque licebit  
    Acrisium iubeat credere quod Danaen.  
carmina componat, declamet, concrepet omnes                   5  
    et peragat causas sitque Catone prior.  
iurisconsultus ‘parret, non parret’ habeto  
    atque esto quicquid Servius et Labeo.  
multa loquor; quod vis, nummis praesentibus opta:  
    eveniet. clausum possidet arca Iovem.

**LO**φ Ioh. Sarisb. *Pol.* 7,16 Vincent. Bellovac. *Spec. historiale* 21,25 (vv. 1–2; 5–6; 9–10)

1 *navigat* Vincent.

2 *temperat* B Vincent.

4 *Danae* Courtney

5 *componit declamat concrepat* Vincent.

6 *peragit* Vincent.

7 *parret non parret* B : *paret non parret* cett.

*habeto* **O**

9 *multa* **LO** Ioh. : *parva* φ Vincent.

*quod vis* **O**φ Vincent. : *quidvis* **L** Ioh.

*praesentibus* paris. lat. 17903 (Nostradamensis) : *nummos praesentibus* Vincent.

*opto* Vincent.

10 *eveniet* φ (praeter paris. lat. 7647: cf. Hamacher 1975, 138) Vincent. t : *et veniet*

**L**(praeter t)**O** Ioh.

1. Our poem is the last section of the *Satyrica* recorded by the **O** tradition and also the last of the four verse compositions marking the highlights of the part of the Oenothea episode which has come down to us.<sup>1</sup> It amounts to a

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<sup>1</sup> Cf. Setaioli 2004.

comment or reflection on the situation depicted in the prose:<sup>2</sup> Oenothra, only shortly before venting anger and threats at Encolpius for killing Priapus' sacred goose, reverses her attitude as soon as she sees the two pieces of gold he offers as reparation. In fact, the poem revolves on the theme of the omnipotence of money and appears to be a development of Encolpius' previous words: *ecce duos aureos pono, unde possitis et deos et anseres emere* ('here are two gold pieces, for you to buy both gods and geese').<sup>3</sup> These words already pair the theme of money's power with a disrespectful and all but sacrilegious attitude, which we shall also discover in the verse part.

The poem is clearly not recited by the protagonist as an acting character to Oenothra: it is a reflection made either at the moment of the action by Encolpius, who – for once – correctly interprets the situation he is going through,<sup>4</sup> or later, by Encolpius the narrator, who is able to pass more mature judgments on his past experiences than at the time they actually took place.<sup>5</sup> It is certain, at any rate, that the theme developed in this poem is one of the most frequent in the novel; this is so true that some scholars believe these lines to be a general statement by the author, rather than just a simple comment by the protagonist or the narrator about a specific situation.<sup>6</sup> This is anything but impossible, in view of the constant recurrence of the theme; but we shall see that these lines also contribute to the characterization of the novel's protagonist.

A further danger this interpretation is exposed to may be sharply severing our poem from the episode's context, in which the verse parts fulfill the function of marking different stages in the acting hero's evolving psychological attitude. As a matter of fact, this poem has not received the attention it deserves from this point of view. Perutelli, who shrewdly investigated the

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<sup>2</sup> Cf. Sullivan 1968, 189; Walsh 1970, 23 and n. 2; Barnes 1971, 281–282.

<sup>3</sup> Petr. 137,6.

<sup>4</sup> Barnes 1971, 281; 'one of his rare moments of lucidity;' Beck 1973, 59: 'a reflection which for once squarely hits the mark.'

<sup>5</sup> Cf. Beck 1973, 59: 'the narrator's own commentary.'

<sup>6</sup> Stöcker 1969, 146: 'hier liegt also wohl ein zwar satirisch übertriebener, aber doch auch ernst zu nehmender Kommentar Petrons vor, der das Thema "Die Macht des Goldes" in vielen Brechungen immer wieder zur Sprache bringt.' On pp. 146–151 Stöcker treats of this Petronian theme by discussing our poem as well as 14,2, 83,10 and 82,5, and also several prose passages. An opinion close to Stöcker's is expressed by Winter 1992, 43: 'daher ist es durchaus denkbar, daß Petron hier als auktorialer Erzähler einen über das Erzählgeschehen hinausreichende Kommentar formuliert, welcher thematisch so allgemein gehalten ist, daß es über das eigentliche Erzählen hinaus geht.'

relationship between the poems' literary references and their function as a psychological counterpoint in the Oenothea episode,<sup>7</sup> neglected ours, the fourth and last one; and Winter, who devoted a work to the verse intermez-zos in this part of the *Satyrica*, stresses our poem's diversity from the previous three and underlines its alleged lack of connection with the context as a whole.<sup>8</sup> He is certainly right as far as stylistic level is concerned; the first three poems clearly follow specific literary models, on which it is hardly necessary to dwell here.<sup>9</sup> The fourth one, on the contrary, is marked by a low, nearly prosaic style.<sup>10</sup> Our poem also differs as far as meter is concerned: it is not in hexameters, but in elegiac couplets, technically reminiscent of Catullan epigrams rather than Augustan elegy.<sup>11</sup> It would be hardly right, however, to conclude that it is not organically connected with the other poems and the episode as a whole.

On the one hand, the situation from which our poem stems amounts to a neat reversal of the *theoxenia* motif – i.e. the poetical description of the hosting of gods or demigods by mortals who, as a rule, are as pious as they are humble and poor –, which is one of the prevailing literary influences in the episode, as I have shown in detail elsewhere.<sup>12</sup> The very presence of the goose killed by Encolpius is in all probability suggested by the Ovidian episode of Philemon and Baucis:<sup>13</sup> the poor couple plan to kill their one goose to feed their godly guests, Jupiter and Mercury, but the latter ask them to

<sup>7</sup> Perutelli 1986 (especially pp. 134–136). Cf. also Setaioli 2004.

<sup>8</sup> Winter 1992, 43; 51–52.

<sup>9</sup> In short: 134,12 (Oenothea's boasting about her magic powers) is influenced by motifs found e.g. in Theocr. 2 and frequently developed in Augustan poetry; 135,8 (description of Oenothea's cabin) is reminiscent of Callimachus' *Hecale* (expressly cited in the poem) and also of the Ovidian episode of Philemon and Baucis; 136,6 is a double simile of the epic and mythological type. See Setaioli 2004, 414–415, with the literature quoted and discussed.

<sup>10</sup> One may refer to the exhaustive linguistic and formal analysis offered by Winter 1992, 42–52, reaching this conclusion (pp. 51–52): 'anders als die zuvor behandelten Verstücke 134, 12; 135, 8 und 136, 6 findet sich keine hohe, sondern vielmehr eine gesucht niedrige Sprache, welche sich durch Volkstümlichkeit und Umgangston auszeichnet.'

<sup>11</sup> Cf. Barnes 1971, 273–274 n. 35; 281.

<sup>12</sup> Setaioli 2004, 415, with the literature quoted and discussed.

<sup>13</sup> Did Petronius' goose, in turn, suggest Juvenal's remark about the 'big goose' (*ansere magno*) requested by Osiris – or rather his priests – to grant forgiveness? Cf. Juv. 6,540–541.

spare the animal.<sup>14</sup> In Petronius, however, the power of money is so great that even a ‘sacred’<sup>15</sup> goose can be cooked and eaten with no qualms by the priestess herself – and not to honor divine guests, but for a private feast with the culprit of the slaughter, whom before his payment in gold she had heavily threatened.<sup>16</sup>

On the other hand, the irreverent reversal of the detail of the sparing of the animal in the *theoxenia* motif is topped by the praise of the power of money contained in the poem itself, in turn a neat reversal of the admiring picture of dignified and clever poverty – a constant theme in the same *theoxenia* motif, found also in the second poem of the Oenothea episode, in which Callimachus’ *Hecale* is expressly quoted.<sup>17</sup>

We might say that, whereas the first three poems – in hexameters – present us with a transposition of Encolpius’ encounter with Oenothea according to established literary models, the final epigram in elegiac couplets provides a sobering assessment of the situation, with the final remark that in reality, if not in literature, money is all-powerful – with priestesses as with everybody else. Along with the prose description<sup>18</sup> this final poem amounts to a realistic counterpoint to the literary idealization – itself not devoid of comical effects – prevailing in the previous verse sections.

2. All the editions of Buecheler and Müller do not place a period after the last verse of our poem,<sup>19</sup> implying that it may be incomplete. As already mentioned, it is the final piece transmitted by the **O** tradition. In **L** a lacuna is indicated before the following prose section, and very probably at least

<sup>14</sup> *Ov. Met.* 8,684–688. Similarly, in Callimachus’ *Victoria Berenices*, the poor shepherd Molorchus means to slaughter his ram to feed Heracles, who, however, is content with a vegetarian meal. See Rosenmeyer 1991; Sommariva 1996, 69–74, and the rest of the literature quoted and discussed in Setaioli 2004, 415 nn. 7–9.

<sup>15</sup> Cf. Setaioli 2004, 422–423 for a defense of *sacri* at 136,4 and a refutation of Richardson 1980. The goose can be at the same time *sacer* and *publicus* – 137,5 – because in Petronius’ Croton Oenothea’s cult is recognized by the state: cf. 137,2 *si magistratus hoc scierint, ibis in crucem*.

<sup>16</sup> Petr. 137,12 *epulasque etiam lautas paulo ante, ut ipsa dicebat, perituro paravit*.

<sup>17</sup> Petr. 135,8,15–17.

<sup>18</sup> The prose description is anything but idealizing and stands in lively contrast with the hexameter poems.

<sup>19</sup> So do also Cesareo-Terzaghi 1950, 147, and Giardina-Cuccioli Melloni 1995, 157. Heselstine 1913, 310 prints dots at the end of line 10; the same is done by Ehlers, in Müller-Ehlers 1983<sup>3</sup>, 345 at the end of his translation of the poem. On the contrary, Ernout 1922, 171 places a period at the end of the poem.

some words of junction have fallen. These, however, were part of the prose only, as the poem appears to be complete as it stands. A neat structure may be detected: the opening and final couplets state the general theme of the power of money and are linked by the repetition of the same word in the hexameters: *nummos* (v. 1) – *nummis* (v. 9). They provide a frame for the three central couplets containing special examples, the first taken from the world of mythology, the others from real everyday life. The final picture of Jupiter shut up in the money-chest provides a quite fitting *fulmen in clausula* for the closing of the epigram.<sup>20</sup> It would be difficult indeed to imagine additional verses which would not spoil the structure and the effectiveness of the poem.

Though the first and the last couplets form an enclosing frame for the central examples, the structure of the poem as a whole can be, and has been, considered to amount to a formal ‘Priamel.’ Race sees in *multa loquor*, which opens the final couplet, the climax which cuts short the list of examples.<sup>21</sup> Other scholars find such a climax in the final remark about the superiority of gold not just over everyday activities but over religion itself – *clausum possidet arca Iovem*.<sup>22</sup>

Race, following Crusius,<sup>23</sup> places our poem side by side with the one uttered by Eumolpus at 83,10,<sup>24</sup> insofar as they both present the formal structure of the ‘Priamel.’ As far as similarity of content is concerned the two verse pieces have been paired by other scholars.<sup>25</sup> In reality both poems are based not on the mere pattern of the ‘Priamel,’ but rather on a special, widespread type of ‘Priamel,’ which I have investigated in detail in an essay written many years ago.<sup>26</sup> This particular type of ‘Priamel’ lists the different

<sup>20</sup> Cf. also Winter 1992, 50–52; Sommariva 1996, 73 n. 64.

<sup>21</sup> Race 1982, 148. Cf. already Crusius 1905, 2305.

<sup>22</sup> Barnes 1971, 282: ‘the poem...reaches a satisfying climax in its concluding *sententia*, “A money-chest holds captive Jupiter himself;”’ Adamietz 1995, 326: ‘am Ende dieser Aufzählung steht als Höhepunkt die Vorstellung von der Macht über die Religion.’ Cf. Fröhlke 1977, 70: ‘in der Szene cap. 137 besitzen selbst religiöse Normen nicht unbeschränkte Gültigkeit, Geld erweist sich auch hier als stärker. Cap. 137, 9 betont noch einmal die Allmacht des Geldes für alle Bereiche.’

<sup>23</sup> Cf. note 21.

<sup>24</sup> Petr. 83,10: *qui pelago credit, magno se faenore tollit; / qui pugnas et castra petit, praecingitur auro; / vilis adulator picto iacet ebrius ostro, / et qui sollicitat nuptas, ad praemia peccat: / sola pruinosis horret facundia pannis / atque inopi lingua desertas invocat artes.*

<sup>25</sup> E.g. Stöcker 1969, 147–151; Winter 1992, 44.

<sup>26</sup> Setaioli 1973, with the literature quoted and discussed.

vocations in life, reserving the last place for the one chosen by the author. The different goals and vocations are usually arranged in a fourfold pattern: honors and power, money, pleasure, culture, or φιλότιμος, φιλοχρήματος, φιλήδονος and φιλόσοφος βίος. The highest value is normally allotted to the latter, and, accordingly, ‘philosophy’ is often replaced by the special ‘cultural’ vocation of each author: in the standard specimen of such a ‘Priamel’ – Horace’s first ode – the climax is reserved for poetry.

This type of ‘Priamel’ is typical of protreptics and introductions (proems):<sup>27</sup> the series of traditionally recognized lifestyles precedes the author’s choice for his own life (or, in protreptics, the one that is recommended); and, as I have argued in the essay just mentioned, Horace’s opening ode must be seen in this light – as the introduction to and justification of his activity as a lyrical poet.

As I have argued elsewhere,<sup>28</sup> the poem at *Sat.* 83,10, the first uttered by the poet Eumolpus shortly after his first appearance, should also be considered both as an introduction to the poetical *corpus* he will produce in the subsequent sections of the novel and as a justification for his literary – and, more specifically, poetical – vocation itself. His outline of the several βίοι, or life choices, is hardly different from the one sketched by Horace in his first ode. Like Horace, Eumolpus exemplifies the φιλοχρήματος βίος through the figure of the sea-faring merchant; as a representative of the φιλότιμος βίος he offers the *vilis adulator*, who can easily be equated with the *delator*, a typical social-climbing figure under the empire; the φιλήδονος βίος is illustrated through the example of the adulterer.<sup>29</sup> Unlike Horace, however, in Eumolpus’ poem all these life choices are not pursued for their own sake: all of them, not just the φιλοχρήματος βίος proper, move toward one and the same goal: profit.<sup>30</sup> The climax of Eumolpus’ ‘Priamel’ – *facundia*, a life

<sup>27</sup> The very term ‘Priamel’ comes from ‘Präambel,’ a preamble.

<sup>28</sup> Setaioli 1998, 221–226, with the literature quoted and discussed.

<sup>29</sup> Military life (as hinted at by Eumolpus at 83,10,2) is a life choice typical of Roman texts on the subject; it appears not only in Hor. *c.* 1,1, but also in Tibullus, Propertius, Ovid, and Columella. In Greek it is found only in comparatively late authors, such as Dio Chrysostom, Maximus of Tyre, Diogenes of Oenoanda, Clemens of Alexandria, and Libanius. See Setaioli 1973, 41–42 n. 1; Setaioli 1998, 222 n. 38.

<sup>30</sup> The sea-faring merchant, the representative of the φιλοχρήματος βίος proper, quite understandably is after profit (*magno se faenore tollit*); but so are the figures exemplifying all other βίοι: the soldier *praecingitur auro*; the *adulator*, though cheap (*vilis*) himself, gets expensive furnishings (*picto...ostro*); and the adulterer *ad praemia peccat*. This

devoted to literature, in his case poetry – is sharply set apart from all other lifestyles in that it provides no money to those who choose it: a recognition which can perhaps provide the basis for a deeper understanding of Eumolpus as a literary character, in my opinion one of Petronius' most felicitous creations.<sup>31</sup>

If we now go back to our poem at 137,9, we shall see that, whereas at 83,10 money is the one goal and a universal φιλοχρήματος βίος overshadows each one of the lifestyles described before the climax of the 'Priamel,' i.e. the author's own choice, here Encolpius' perspective is reversed: in this poem money is not a goal to attain but rather the starting point securing access to any lifestyle one may choose; consequently no lifestyle is exempted from subjection to the power of money, as *facundia*, though marginalized, still was at 83,10. The traditional βίοι are there nevertheless. The φιλήδονος βίος is illustrated by the seduction of Danae, ostensibly by Jupiter, but in reality by anyone rich enough to bribe both the girl and her father. The φιλόσοφος βίος is replaced here as at 83,10 by literature: poetry (*carmina componat*) and rhetoric (*declamet*); but far from being opposed to wealth as in the previous poem, here access to a successful literary career – as well as to any other – is guaranteed by money alone. The same is true, of course, for the φιλότιμος βίος, here represented by such universally respected and influential figures as the orator and the juriconsult. Encolpius' inverted perspective makes the specific exemplification of the φιλοχρήματος βίος unnecessary, as the latter has become the indispensable engine needed to put all other lifestyles in motion.

What are we to make of this idea? We have seen that according to some scholars Petronius himself is speaking through Encolpius in this poem.<sup>32</sup> On the contrary, Connors<sup>33</sup> has argued that what Encolpius believes<sup>34</sup> to be a universally valid lesson he has gained from his experiences – the idea of the power of money as drawn from Oenotheta's behavior – will only lead him to

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poem, as well as ours (137,9) and others, is a clear illustration of the all-pervading theme of the power of money in the *Satyrice*. For 128,6 see *infra*, § 4.

<sup>31</sup> See the analysis in Setaioli 1998, 223–226.

<sup>32</sup> Stöcker 1969, 146; Winter 1992, 43. Cf. above, note 6.

<sup>33</sup> Connors 1998, 75. Cf. also Sommariva 1996, 74.

<sup>34</sup> One may remark that a verb in the first person appears in our poem (*loquor*: v. 9). In the Oenotheta episode cf. 136,6,2 *reor* (on which see Setaioli 2004, 421–422). Verbs in the first person also appear in the poems at 79,8; 132,8; 133,3. The first person pronoun at 132,15,1; 139,2,1 and 7.

further disappointments. She remarks that ‘the claim that wealth can make the sea safe is plainly implausible.’ One may rejoin that this is nothing but a widespread metaphor, as already remarked by Gonsalo de Salas<sup>35</sup> and later by other scholars.<sup>36</sup> Besides, the poem is talking about subjective assuredness, not objective safety.<sup>37</sup> But this, as well as what follows, must give us pause. The statement that the wealthy man may *feel* safe at sea and that money can make him a successful poet, rhetorician, orator and jurist can surely hold true in the ‘parallel world’ created by the universally accepted adoration of money – but can it claim any objective validity? The reader of the *Satyrica* has already heard Eumolpus preach about the topsy-turvy world of false values promoted and/or accepted by the wealthy and by those who recognize no other goal but wealth – a world in which the few people still striving after true values are considered a handful of freaks pursuing a discredited lifestyle.<sup>38</sup> The one who has money can feel subjectively confident (as we have remarked, this is the nuance of meaning conveyed by *secura*) and be successful as long as society accepts the ‘perverted’ principles based not on reality but on the power and prestige common agreement has bestowed upon money. But can this fictitious world hold on for ever? Given the state of Petronius’ transmitted text, this basic question can be – and has been – answered in a variety of ways.<sup>39</sup>

3. In our poem the supreme god of the Romans is mentioned by name in the last line and is clearly hinted at in the mythological example of Danae’s seduction in lines 3–4 illustrating one of the ways money can show its power – the successful pursuit of pleasure, the φιλήδονος βίος. Winter repeatedly

<sup>35</sup> Ap. Burman 1743, II 284: ‘*secura naviget aura.*] De vulgi ac *fortuna*e favore capiendus plane locus, quae frequens allegoria est scriptoribus priscis.’ Follows the quotation of Hor. *Epist.* 1,18,87–88 *tu dum tua navis in alto est / hoc age ne mutata retrorsum te ferat aura.*

<sup>36</sup> E.g. Winter 1992, 45: ‘das Bild der Seefahrt zur Darstellung der Lebensgestaltung ist in der römischen Literatur topisch (*TLL* II 1, 1473, 72 ff.)’; K. Töchterle 1994, 568.

<sup>37</sup> *Secura* (v. 1) is in no way equivalent to *tuta*. See e.g. Sen. *ep.* 97,13 *ita est: tuta scelera esse possunt, < secura esse non possunt >* (the integration is all but certain).

<sup>38</sup> Cf. Petr. 84,1–4; 88,2–10, and see the analysis in Setaioli 1998, 226.

<sup>39</sup> As we shall see, both the structure and the idea of the poem are closely paralleled by a passage in Lucian’s *Gallus* (§§ 13–14), where the power of gold is exemplified first by Danae’s seduction, then by its capability to make anyone who possesses it successful and respected in anything he does. In Lucian this idea is immediately refuted by the rooster (a reincarnation of Pythagoras). Petronius’ position is much more difficult to pinpoint.



remarks that according to this piece of verse the wealthy man has the same power as Jupiter.<sup>40</sup> But the poem – both in itself and even more when compared with other poems in the Croton section of the *Satyrice* – clearly shows that Encolpius considers the rich man more powerful than the supreme god and regards the latter in an irreverent, all but sacrilegious way.

We have already pointed out the disrespectful words with which Encolpius introduces his payment for the slain goose, as well as the subsequent change in Oenothra's attitude, which in turn provides the cue for our poem on the power of money: *unde possitis et deos et anseres emere*. In view of these words one might take the poem as Encolpius' rejection of Oenothra's advice – no matter how hypocritical – to pray to the gods for forgiveness.<sup>41</sup>

There is no doubt that an equation between Jupiter and money is implied in the last line, which states that the *arca* has Jupiter enclosed within itself. The word *arca* is currently used in Latin to describe a money-chest,<sup>42</sup> but the same word is also used by Latin mythographers<sup>43</sup> referring to the floating chest in which Danae was shut up with her son Perseus after her father Acrisius learned about her seduction – the *λάρναξ* of a famous fragment of Simonides<sup>44</sup> and Apollodorus' narration of the myth.<sup>45</sup> It is not difficult to see that Encolpius has reversed the mythological roles: it is not Danae, but Jupiter to be enclosed in the *arca*;<sup>46</sup> the rich man not only owns money, but

<sup>40</sup> Winter 1992, 46: 'derjenige, welcher über Geld verfügt, die gleichen Möglichkeiten wie Zeus hat'; 51: '*arca possidet Iovem* i.e., is, qui habet arcam nummorum plenam, possidet facultates Iovis omnes.' Shortly after, however, he seems to recognize that the wealthy man is more powerful than Jupiter ['darüber hinaus gibt das Geld sogar Verfügungsgehalt über den Götterkönig (*clausum*) selbst'].

<sup>41</sup> Petr. 137,8 *tu modo deos roga ut illi facto tuo ignoscant*. Cf. also Winter 1992, 43.

<sup>42</sup> Cf. *TLL* II 432, 13 - 433, 10. Even Jupiter himself is jocularly – and disrespectfully – said to have such a money-chest: Mart. 9,3,14 *nam tibi quod solvat non habet arca Iovis*. In Petronius' poem Jupiter, like money, is in the chest. Cf. Varro *ant. div.* fr. 238 *Cardauns et Pecunia... vocatur (Iuppiter), quod eius sunt omnia*.

<sup>43</sup> Hygin. *Fab.* 63,2 *quam (Danaen) pater ob stuprum inclusam in arca cum Perseo in mare deiecit*; Serv. in *Aen.* 7,372 *pater eam (Danaen) intra arcam inclusam praecipitavit in mare*.

<sup>44</sup> Simon. fr. 13 Diehl *λάρνακι ἐν δαιδαλέα*.

<sup>45</sup> Apollod. 2,4,1 *τὴν θυγατέρα μετὰ τοῦ παιδὸς εἰς λάρνακα βαλὼν ἔρριψεν εἰς θάλασσαν*.

<sup>46</sup> To my knowledge, Connors 1998, 75 is the only one to have noticed this reversal of the myth; but she does not connect it with Encolpius' general attitude toward Jupiter nor with the mythographers' use of the term *arca*.

(because of this) can box up the supreme god himself.<sup>47</sup> Money, not Jupiter, is after all the real god: in the last hexameter the words *nummis praesentibus*, in themselves a current technical expression meaning ‘ready cash’,<sup>48</sup> are almost certainly employed as an irreverent counterpart of another technical expression used in religious language – *praesentia numina* –, which is also found in Petronius, in a different part of the *Satyrice*.<sup>49</sup>

But the rich man’s superiority over Jupiter is stressed in another more biting – if more oblique – way too. In the couplet on Danae’s seduction the rich man will have not just the girl, but her father too will believe what he wants them to – or, as Encolpius puts it, he will be able to make Acrisius believe what he made Danae believe.<sup>50</sup> Now, what did Danae’s seducer have her believe? Clearly, that he was Jupiter. Was he telling the truth? If so, one cannot help remarking that he was less successful than Petronius’ rich man: in the myth Acrisius did not believe that his daughter’s seducer was the supreme god,<sup>51</sup> whereas the rich man can persuade both father and daughter. But the wording of the poem leaves open a much more irreverent implication. In the myth, our poem implies, Danae’s real seducer<sup>52</sup> succeeded in making her, though not her father, believe that he was the supreme god; in other words, that she was seduced by Jupiter was only what Danae believed – make-believe in the literal sense of the word –.<sup>53</sup> her seducer was rich

<sup>47</sup> *Clausum* can also be taken in two different ways: as referring to money’s natural arrangement in the chest, and to Jupiter’s inferiority as compared to the rich man (with *clausum* conveying a meaning close to ‘imprisoned’).

<sup>48</sup> Cf. Petr. 109,2 *praesentes...denarios centum*; 109,3 *praesentes denarios ducenos*; Sen. *Ben.* 7,21,1 *non praesentibus nummis*. Cf. also Petr. 117,3.

<sup>49</sup> Petr. 17,5 *nostra regio...praesentibus plena est numinibus*. More texts in Sommariva 1996, 73 n. 64.

<sup>50</sup> Winter 1992, 47 is quite wrong in saying that what the seducer wants Acrisius to believe is that Danae is still a virgin. Danae’s seducer wants father and daughter to believe the same thing, and surely Danae cannot be made to believe that she is still a virgin. Winter is right, however, when he remarks that *iubeat credere* amounts to a semantic oxymoron.

<sup>51</sup> Apollod. 2,4,1 Ἀκρίσιος...μὴ πιστεύσας ὑπὸ Διὸς ἐφθάρθαι κτλ.; Ov. *Met.* 4.610–611 *neque enim Iovis esse putabat / Persea, quem pluvio Danae conceperat auro*.

<sup>52</sup> Proetus, according to one version of the myth: Apollod. 2,4,1 ταύτην μὲν, ὡς ἔνιοι λέγουσιν, ἔφθειρε Προῖτος...ὡς δὲ ἔνιοί φασιν, Ζεὺς.

<sup>53</sup> Courtney 1991, 43, followed by Connors 1998, 74, corrects the manuscripts’ *Danaen* to *Danae*, because – he says – ‘with the accusative one would be forced to understand *credere iubet*, which makes no sense.’ This completely misses the point. The stress lies not so much on what Danae believed as on what she was made to believe (*credere iussit* must be supplied, rather than *iubet*, as Courtney thinks). The nominative *Danae* would imply that her judgment was independent, not swayed by a wealthy seducer. It would

enough to bribe her into believing his pretense of being Jupiter, though not enough to do the same with Acrisius. But Encolpius' latter-day 'mythological' seducer clearly has enough money to persuade both and so have his way with both father and daughter.

The inescapable consequence this entails is that Danae was not, in reality, seduced by Jupiter. Encolpius' sacrilegious remark that money can buy geese and gods is developed in the poem by this blasphemous implication, which takes up an idea already apparent in a previous poem (126,18), where Jupiter is depicted as old and impotent, and Danae also figures prominently.<sup>54</sup> In his amorous excitement over Circe, Encolpius doubts and despises Jupiter's vaunted erotic exploits. In another poem (127,9) he pictures himself and Circe as replacing Zeus and Hera in the celebrated love scene in Book XIV of the *Iliad*.<sup>55</sup> Apparently he does not consider his present impotence as retribution for such blasphemy, since he continues in his sacrilegious attitude. This reinforces the case for arguing that Encolpius' present trust in the power of money will not save him from further disappointments.

As a final remark we may emphasize Petronius' adroitness in giving a conventional theme – the allegorization of Danae's myth, with its 'rain of gold,' as a standard example of the power of money<sup>56</sup> – an original and unexpected turn. The pairing of the myth with everyday life to exemplify money's all-pervading power was a diatribic theme, as made clear by Lucian's *Gallus*,<sup>57</sup> but the cue for granting gold superiority over the gods may well have come from a well-known text of Menander,<sup>58</sup> whose influ-

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completely destroy the 'semantic oxymoron' (cf. above, note 50) which so aptly expresses the power of money on both father and daughter.

<sup>54</sup> Petr. 126,18 *quid factum est, quod tu proiectis, Iuppiter, armis / inter caelicolas fabula muta taces? / nunc erat a torva submittere cornua fronte, / nunc pluma canos dissimulare tuos. / haec vera est Danae. tempta modo tangere corpus, / iam tua flammifero membra calore fluent.* The 'real' Danae is Encolpius' Circe. For an analysis of this poem and its irreverent attitude see Setaioli 1998, 232–237.

<sup>55</sup> Petr. 127,9. See Setaioli 1999.

<sup>56</sup> This was a well-established interpretation of the myth. It is already clear in Euripides' *Danae* (fr. 324, 326, 327 Kannicht) and later becomes a stock motif: cf. e.g. Hor. *c.* 3,16; Ov. *Am.* 3,8,29–34 (also *Ars* 2,277–278); *CE* 938; Tiberianus 2,7–8 Mattiacci; *AP* 5,31; 5,33–34; 5,125; 12,239.

<sup>57</sup> Cf. above, note 39; and below, § 4.

<sup>58</sup> Menand. *fr.* 614 Koerte: ὁ μὲν Ἐπίχαρμος τοὺς θεοὺς εἶναι λέγει / ἀνέμους, ὕδωρ, γῆν, ἥλιον, πῦρ, ἀστέραις / ἐγὼ δ' ὑπέλαβον χρησίμους εἶναι θεοὺς / τὰργύριον ἡμῖν καὶ τὸ χρυσίον <μόνους>. / ἰδρυσάμενος τούτους γὰρ εἰς τὴν οἰκίαν, / εὐξ' εἴ τι βούλει, πάντα σοι γενήσεται, / ἀγρός, οἰκίαι, θεράποντες, ἀργυρώματα, / φίλοι, δικασταί, μάρτυρες.

ence on our poem is made certain – as we shall see – by unmistakable textual correspondences.

4. A finely woven web of literary reminiscences and allusions can be detected in our poem. I am not merely referring to stock sentences on the power of money,<sup>59</sup> but to literary texts who have influenced it. Burman<sup>60</sup> already reports the pairing of Encolpius' poem with a chorus in Seneca's *Oedipus*, in connection with the nautical metaphor at the beginning,<sup>61</sup> where other formal and conceptual echoes can also be recognized.<sup>62</sup>

The power of money is of course a stock motif in the literature influenced by diatribe. Some close parallels to the specific turns it receives in our poem can nevertheless be pointed out. The idea that money endows whoever owns it with every merit<sup>63</sup> is repeatedly found in Horace,<sup>64</sup> and his idea that it gives one not just eloquence and every other distinction, but also a suitable wife<sup>65</sup> can be easily paired with the structure of our poem, though in it *uxorem ducat Danaen* surely refers to seduction rather than to lawful marriage.

The closest parallel, however, can be found in Lucian's work *Gallus*, whose striking resemblance to another Petronian poem (128,6) also centered

μόνον διδου· / αὐτοὺς γὰρ ἕξεις τοὺς θεοὺς ὑπηρέτας. Gold and silver are the real gods, and the man with money has the gods themselves as servants, not unlike Encolpius' rich man with Jupiter in his money-chest.

<sup>59</sup> Such as the proverb in Apostol. 12,56 (*Paroem. Gr.* II 556) ὅταν ἀργύριον ἢ πάντα θεῖ κάλανεται. This proverb is already quoted by Burman 1743, I 846; then by Otto 1890, 247 (s.v. *nummus*, with v. 1 of our poem).

<sup>60</sup> Burman 1743, I 846.

<sup>61</sup> Sen. *Oed.* 882 ff. *fata si liceat mihi / fingere arbitrio meo, / temperem Zephyro levi / vela, ne pressae gravi / spiritu antemnae gemant eqs.* (aura at v. 7). Töchterle 1994, 568 has emphasized the lexical parallels (*arbitrio, temperem, aura*). Degl'Innocenti Pierini 1999, 55–56 stresses Petronius' reversal of the Senecan theme: not the poor, but the rich man can direct his own destiny.

<sup>62</sup> Cf. e.g. Verg. *Aen.* 4,340–341 *me si fata meis paterentur ducere vitam / arbitriis*; and, more important, *consol. Liv.* 371 *fortuna arbitriis tempus dispensat iniquis*. Winter 1992, 45–46 remarks that Petronius neatly reverses the idea: the rich man can ordain *fortuna* according to his *arbitrium*, rather than depending from hers.

<sup>63</sup> If not in reality, in the fictitious 'parallel world' based on the common acceptance of the power of money: cf. § 2, end.

<sup>64</sup> E.g. Hor. *Sat.* 2,3,94–98 *omnis enim res, / virtus, fama, decus, divina humanaque pulchris / divitiis parent; quas qui construxerit, ille / clarus erit, fortis, iustus. sapiensne? etiam et rex / et quicquid volet.*

<sup>65</sup> Hor. *Epist.* 1,6,36–38 *scilicet uxorem cum dote fidemque et amicos / et genus et formam regina Pecunia donat, / ac bene nummatum decorat Suadela Venusque.*

on money I have illustrated elsewhere.<sup>66</sup> A poor cobbler, who owns a rooster in whose body no less than Pythagoras is reincarnated, describes the power of money by first expressly referring to the Danae story, then through examples from daily life.<sup>67</sup> We have already seen<sup>68</sup> how this diatribic structure was infused with a more biting spirit perhaps under the influence of a text by Menander which we shall encounter again in the next, and final paragraph.

5. We shall now tackle some problems connected with specific points of our text.

vv. 1–2 **naviget...temperet**. All Petronian manuscripts give *naviget* at line 1 and all but B read *temperet* at line 2. The indicatives *navigat...temperat* are found in Vincent of Beauvais, who quoted the first, third and fifth couplets of our poem in his *Speculum historiale*.<sup>69</sup> The subjunctives of the direct tradition were retained by the early editors and by Buecheler himself in his first edition, but later he preferred Vincent's *navigat...temperat*. He has been followed by most German and Anglo-Saxon scholars,<sup>70</sup> but by very few in Italy and France.<sup>71</sup> In the following lines (3–6) all editors and scholars unanimously accept the subjunctives given by the

<sup>66</sup> Setaioli 1999a, 410–411. The dream of the discovery of a treasure described in verse at *Sat.* 128,6 is closely paralleled in several passages of Lucian's work (known also by the title of *Somnium*).

<sup>67</sup> Lucian. *Gall.* 13 ὁ δὲ πάντων θεῶν πατήρ καὶ ἀνδρῶν, ὁ Κρόνου καὶ Ῥέας, ὁπότε ἠράσθη τῆς Ἀργολικῆς ἐκείνης μείρακος, οὐκ ἔχων εἰς ὃ τι ἐρασμιώτερον αὐτὸν μεταβάλοι...ἀκούεις δήπου ὡς χρυσίον ἐγένετο καὶ ῥυεῖς διὰ τοῦ τέγους συνῆν τῇ ἀγαπωμένῃ. ὥστε τί ἂν σοι τὸ ἐπὶ τούτῳ ἔτι λέγοιμι, ὡς δὲ οἷς ἂν παρῆ, καλοῦς τε αὐτοὺς καὶ σοφοὺς καὶ ἰσχυροὺς ἀπεργάζεται τιμὴν καὶ δόξαν προσάπτων, καὶ ἐξ ἀφανῶν καὶ ἀδόξων ἐνίστε περιβλέπτους καὶ αἰοιδίμους ἐν βραχεῖ τίθησι; Cf. 14 ὄρῃς ὅσων ἀγαθῶν ὁ χρυσὸς αἴτιον, εἴ γε καὶ μεταποιεῖ τοὺς ἀμορφοτέρους καὶ ἐρασμίους ἀπεργάζεται.

<sup>68</sup> Cf. above, n. 58.

<sup>69</sup> Vincent. *Bellov. spec. hist.* 21,25. Cf. Buecheler 1862, xxxii–xxxiii.

<sup>70</sup> Müller has *navigat...temperat* in all his editions. This reading is preferred also by Heselstine 1913, 310; Courtney 1991, 42; Giardina-Cuccioli Melloni 1995, 157; Stöcker 1969, 146; Connors 1998, 74. Winter 1992, 45; 47, though accepting *navigat...temperat*, regards *naviget...temperet* as worthy of consideration.

<sup>71</sup> The one exception seems to be Giardina-Cuccioli Melloni (see previous note). *Naviget...temperet* is given by Ernout 1922, 171; Cesareo-Terzaghi 1950, 145; Ciaffi 1967<sup>2</sup>, 350; Aragosti 1995, 520; Reverdito 1995, 262; Scarsi 1996, 244; Sommariva 1996, 73 n. 64. The translation given by Stubbe 1933, 183 ('darf...segeln,...kann...regeln') shows that he accepted the subjunctives in the text.

direct tradition<sup>72</sup> – which is quite inconsistent, because in vv. 5–6 Vincent gives all these verbs as indicatives too (*componit, declamat, concrepat, peragit*), except the final one (*sitque*, v. 6), which cannot be explained except by assuming it to be the only remnant of a series of subjunctives which were arbitrarily changed to indicatives. As has been observed,<sup>73</sup> in a sentence quoted out of context the indicative can easily replace other moods, as it appears to convey objective validity to the statement; but in the poem as a whole, as we read it in the direct tradition, the subjunctives of the third couplet appear to correspond naturally to those of the first one. If Vincent's testimony in vv. 5–6 is rejected, in the first couplet it should be rejected too.

Buecheler remarks that Vincent's quotation from our poem shows that he was using a text quite close to the *Florilegium Gallicum* (ϕ),<sup>74</sup> and Müller echoes him.<sup>75</sup> Vincent's quotation does have much in common with the ϕ text.<sup>76</sup> However in vv. 1–2 and 5–6 ϕ has constantly subjunctives. Now, if Vincent draws upon a text close to ϕ, and the latter has subjunctives, it follows that Vincent's indicatives in all these lines are his own innovations and can hardly claim the status of independent tradition; therefore, just as at vv. 5–6 the subjunctives must be retained against Vincent, so in lines 1–2 *naviget...temperet* are the only readings that can be accepted.

v. 4 **Danaen.** Courtney's *Danae* is useless and misleading. Cf. note 53.

vv. 5–6 **concrepet omnes / et peragat causas.** Editors and other scholars do not agree on the meaning and arrangement of these words.<sup>77</sup> Some

<sup>72</sup> Winter 1992, 46 is right in observing that *ducat* (v. 3) is determined – like *iubeat* (v. 4) – by *licebit*. This, however, is much more questionable for the series of subjunctives starting with *componat* (v. 5), though Winter would have us believe they are still influenced by *licebit*. In all likelihood they are jussive-potential subjunctives, paralleled by the future *licebit* and the future imperatives *habeto* and *esto*, and, in my opinion, by the subjunctives *naviget...temperet* in the first two lines.

<sup>73</sup> Cf. Sommariva 1996, 73 n. 64, who also observes that line 1 of our poem has the indicative not only in Vincent, but also in Medieval collections of sentences, where it appears isolated. Cf. also the apparatus of Courtney 1991, 42.

<sup>74</sup> Buecheler 1862, xxxiii: 'unde clare apparet quanto opere a Vincentio compilatus liber congruerit cum florilegio.'

<sup>75</sup> Müller 1991, 174: '*quisquis...Iovem habent* ϕ (unde versus [1–2; 5–6; 9–10] excerptis Vincentius Bellovacensis) et Ioh. Sar. Policr. VII 16.'

<sup>76</sup> At v. 9: *parva loquor; quod vis; prebentibus* (given not by the whole ϕ tradition but only by the Nostradamensis); at v. 10: *eveniet*. Cf. Hamacher 1975, 138.

<sup>77</sup> It may be interesting to observe that Branham-Kinney 1996, 146 skip *concrepet* in their translation.

place a comma after *concrepet*,<sup>78</sup> which entails the anastrophe of *et*, referring *omnes* to *causas*, and taking the verb to have no object. The noise described by *concrepet* is taken by several interpreters to refer to the snapping of fingers,<sup>79</sup> often making *omnes* the object of the verb.<sup>80</sup> But when *concrepo* refers to the snapping of fingers it is always accompanied by *digitos*<sup>81</sup> or *digitis* and similar expressions.<sup>82</sup> At *Sat.* 23,2 *infractis manibus concrepuit* the verb is Jahn's correction for the transmitted *congemit*.<sup>83</sup> Still others take *concrepet* as causative: to cause loud approval or applause by the audience.<sup>84</sup> But such a use of the verb implying a personal object is nowhere recorded in Latin.<sup>85</sup>

One may observe that in the three other certain Petronian occurrences the verb is always transitive.<sup>86</sup> However, rather than making *omnes* a personal object, I would rather refer it to *causas* and take this as the object both of *concrepet* and *peragat*.<sup>87</sup> The two verbs describe two different stages of the trial: the speaker, whose only oratorical merit is wealth, can only shout – 'make cases resound' – but eventually, because of his money, the conclusion (*per-*) will be victorious.<sup>88</sup> A useful parallel is provided by another poetic passage of the *Satyrica*: in the *Bellum civile* Caesar expresses his unfaltering trust in victory by saying *mea causa peracta est*.<sup>89</sup>

<sup>78</sup> So Stöcker 1969, 146; Hamacher 1975, 138 (in his edition of the  $\phi$  text).

<sup>79</sup> Since Burman 1743, I 846: 'accipio de crepitu digitorum, quo silentium faciebant oratores.'

<sup>80</sup> Heseltine 1913, 311: 'snap his fingers at the world'; Walsh 1996, 141: 'one wholly free to snap his fingers at the world'; Connors 1998, 75: 'he'd snap his fingers at everyone.'

<sup>81</sup> As in Petr. 27,5 *cum Trimalchio digitos concrepuit* (transitive).

<sup>82</sup> Cf. *TLL* IV 94, 10; 22–29 (intransitive).

<sup>83</sup> Winter 1992, 48, supplies *manus audientium* after *concrepet*, but he must admit that, with his interpretation, 'der Vers nur schwer zu verstehen ist.'

<sup>84</sup> Ernout 1922, 171: 'il fera s'exclamer tout l'auditoire'; Cesareo-Terzaghi 1950, 145: 'imponga l'applauso'; Ciaffi 1967<sup>2</sup>, 351: 'al pubblico strappi gli applausi'; Aragosti 1995, 521: 'strappi a tutti gli applausi.' Cf. Reverdito 1995, 263; Scarsi 1996, 245.

<sup>85</sup> Neither is the meaning 'overwhelm by shouting': cf. e.g. Stubbe 1933, 183: 'alle wird er niederdröhnen.'

<sup>86</sup> Petr. 22,6 *concrepans aera*; 27,5 *digitos concrepuit*; 59,3 *hastisque scuta concrepuit*. For 23,2 see above.

<sup>87</sup> This seems to be the interpretation favored in *TLL* IV 94, 43–44.

<sup>88</sup> Several interpreters have caught this nuance: e.g. Heseltine 1913, 311: 'win his cases'; Branham-Kinney 1996, 146: 'win one and all those lawsuits'; Ehlers, *ap.* Müller-Ehlers 1983<sup>3</sup>, 345: 'siegreich endet er jeden Prozeß.'

<sup>89</sup> Petr. 122,175–176 *certe mea causa peracta est: / inter tot fortes armatus nescio vinci*.

v. 5 **Catone**. When Courtney<sup>90</sup> takes this Cato as a paragon of rectitude and refers to the poem at 132,15,<sup>91</sup> he seems to identify him with the Uticensis, who fought Caesar in the civil war and appears in the *Bellum civile* recited by Eumolpus (119,45–50). Branham and Kinney<sup>92</sup> think the poem is referring to M. Porcius Cato Licinianus, the son of the Censor and a renowned legal expert. However, the Cato of the poem is not mentioned as a jurisconsult, but as an orator<sup>93</sup> – a capacity in which Cato the Censor was highly regarded. The latter is undoubtedly meant here, as proved by the analysis of Debray<sup>94</sup> and as accepted by many scholars.<sup>95</sup>

v. 7 ‘**parret, non parret**’. This spelling appears only in B; the rest of the tradition has *paret, non paret*. As Courtney rightly remarks,<sup>96</sup> it is a legal fossil, and must therefore be retained as a *lectio difficilior*. Festus testifies to the existence of such a spelling in juridical formulas, though he rejects it,<sup>97</sup> and it is confirmed also by several occurrences in glossaries and grammatical texts, as well as by isolated readings given by single manuscripts of Cicero’s orations, etc.<sup>98</sup> Two epigraphical evidences are pointed out by Crook.<sup>99</sup> Buecheler did not adopt this spelling in his editions,<sup>100</sup> but thought he could point out a linguistic parallel in the *Tabulae Iguvinae*, where he interpreted

<sup>90</sup> Courtney 1991, 43.

<sup>91</sup> The same reference is found in Barnes 1971, 281. For the *Catones* at 135,12,1 see Settaioli 1997, 149; 151–152; 154–155.

<sup>92</sup> Branham-Kinney 1996, 146 n. 4. For the high reputation of Cato Licinianus as a jurist see Gell. 13,20,9 and cf. Debray 1919, 35–36.

<sup>93</sup> Legal experts appear only in the next couplet and their standard representatives are said to be Servius and Labeo; Cato must therefore be mentioned as a universally appreciated orator, as the reference to *causae* makes clear.

<sup>94</sup> Debray 1919, 34–36.

<sup>95</sup> Starting with Gonsalo de Salas, *ap.* Burman 1743, II 284, who already refers to Plin. *NH* 7,100. See also Quint. 12,11,23. In recent times e.g. Ciaffi 1967<sup>2</sup>, 350 n. 376; Winter 1992, 48; Reverdito 1995, 305 n. 309; Walsh 1996, 200.

<sup>96</sup> Courtney 1991, 43.

<sup>97</sup> Fest. p. 262, 16–19 Lindsay *parret, quod est in formulis, debuit et producta priore syllaba pronuntiari, et non gemino r scribi, ut fieret paret, quod est inveniatur, ut comparet, apparet*; cf. Paul ex Fest. p. 247, 15 Lindsay *parret significat apparebit*.

<sup>98</sup> See this evidence collected by Heraeus 1937, 147. Here are some occurrences: *CGL* IV 418, 22 *parret consecrat (constat d e f) manifestum est*; V 472, 23 *parret constitum (constitutum a b) vel constat seu complacit*; V 541, 35 *si parrit si constat*; *GL* IV 275, 11 *S.P. si parret*; 12 *S.N.P.A. si non parret absolvito*. For this spelling see also *TLL* X 1, 371, 55–68.

<sup>99</sup> Crook 1984, 1353–1354.

<sup>100</sup> See however Heraeus’ supplement in Buecheler’s sixth edition (1922, 286).



the Umbrian form *parsest*<sup>101</sup> as an exact equivalent of Latin *parrebit*.<sup>102</sup> This interpretation, however, has not been accepted by later scholars.<sup>103</sup>

The sentence *parret, non parret* serves as the object of *habeto*: if the rich man chooses to become a juriconsult, the undisputed right to decide whether something is or is not proven (*parret, non parret*) will be recognized to him.<sup>104</sup>

This verb is often found in the *formula*,<sup>105</sup> especially in the *intentio*, i.e. in the part in which the plaintiff expresses what he claims,<sup>106</sup> and in the *condemnatio*, empowering the judge to condemn or to acquit the defendant.<sup>107</sup> Obviously in these cases the verb is normally preceded by *si* (or sometimes *in quantum* or the like). The power to decide whether something is proven (*parret*) or not lies obviously with the judge. But the guidelines for the latter's activity laid down by especially authoritative juriconsults, such as Servius Sulpicius Rufus and M. Antistius Labeo mentioned in the poem – in their teaching, writings and responses – were considered to be binding for the judge.<sup>108</sup> Justinian himself testifies to that.<sup>109</sup>

In the world ruled by money the rich man, if he becomes a juriconsult, will naturally attain such an authority. According to Crook there is a joke in the poem,<sup>110</sup> based on the contrast between the pronunciation and spelling of the jurist (*parret*) and the current ones (*paret*): 'as a jurist he will be entitled to say *parret*, instead of *paret*' (*'parret', non 'paret' habeto*). This of course

<sup>101</sup> *Tab. Iguv.* VIIIb, 2.

<sup>102</sup> Buecheler 1883, 118.

<sup>103</sup> See e.g. Devoto 1954<sup>2</sup>, 136; 308. Devoto writes separately: *pars est*.

<sup>104</sup> For the use of *parret* (*paret*) and *non parret* (*non paret*) in the meaning of 'proven', 'not proven' see *TLL* X 1, 373, 37–78.

<sup>105</sup> See the treatment of the *formula* in Gaius *Inst.* 4,30–52. *Si paret* appears at 4,34; 37; 41; 46; 47; cf. 3,91; *si non paret* at 4,43; 46; 47; 50; 51.

<sup>106</sup> Cf. Gaius *Inst.* 4,41 *intentio est ea pars formulae qua actor desiderium suum concludit, velut haec pars formulae: si paret Numerium Negidium Aulo Agerio sestertium X milia dare oportere eqs.*

<sup>107</sup> *Si paret...condemnato* (cf. Gaius *Inst.* 4,46; 47); *si non paret, absolvito* (cf. Gaius *Inst.* 4,43; 46; 47; 50; 51).

<sup>108</sup> Cf. Debray 1919, 34, who however does not refer to Justinian's text quoted in the next note. Some interpreters, who have missed this point, mistakenly assume *parret, non parret* to refer to judges: Reverdito 1995, 263: 'se fa il giudice abbia il "consta" e il "non consta"; Branham-Kinney 1996, 146: 'play judge, and cry "sustain" and "overrule."''

<sup>109</sup> Justinian. *Inst.* 1,2,8, p. 6 Huschke *quorum omnium sententiae et opiniones eam auctoritatem tenebant, ut iudici recedere a responso eorum non liceret, ut est constitutum.*

<sup>110</sup> Crook 1984, 1355–1356.

misses the point, namely that money can give one the power of an authoritative jurist: something much more important and coveted than linguistic niceties.

v. 10 **eveniet**. This reading is given by **ϕ** and Vincent. Most editors accept *et veniet* given by **L** (except t) and **O**. However, most editors accept the *quod vis* offered by **ϕ** and Vincent, and also by **O**, at v. 9, rejecting *quidvis* found in **L** and John of Salisbury. **Φ** and Vincent, however, are in both instances borne out by the comparison with Menander's fragment we have already quoted,<sup>111</sup> which makes me prefer their text in both cases, not just in the first one, as the majority of scholars do.<sup>112</sup> *Eveniet* also appears to be more appropriate to the context – it is used in reference to the granting of a prayer;<sup>113</sup> and here ready cash (*nummi praesentes*) is a more powerful deity than *numina praesentia*.<sup>114</sup> The imperative not followed by *et* in the function of the protasis of a conditional sentence is found in Petronius<sup>115</sup> and is not unusual in colloquial language.<sup>116</sup>

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<sup>111</sup> See above, note 58: εἴ τι βούλει ~ *quod vis*; γενήσεται ~ *eveniet* (neither preceded by a conjunction).

<sup>112</sup> In his first edition Buecheler 1862, 199, though writing *et veniet* in the text, considered *eveniet* possibly to be the correct reading, in view of the parallel with Menander.

<sup>113</sup> *Ov. Fast.* 4,775 *quae precor eveniant*; *Ex Pont.* 2,1,55 *quod precor eveniet*. Even in connection with *opto*, like in our Petronian text: *Ov. Met.* 6,370 *eveniunt optata deae*.

<sup>114</sup> Cf. above, notes 48–49.

<sup>115</sup> E.g. *Petr.* 44,3 *serva me, servabo te*.

<sup>116</sup> For both this usage and the imperative followed by *et* in the same function see Setaioli 2000, 54.

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